

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SHAWN DEWAYNE PARKS-EL,)	
)	
Petitioner,)	
)	
v.)	1:22-cv-514
)	
MR. KENNETH DIGGS,)	
)	
Respondent.)	

ORDER

On July 10, 2023, the United States Magistrate Judge's Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 14, 15.) No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation is **ADOPTED**. **IT IS FURTHER ORDERED** that Petitioner's 2254 Petition, (Doc. 2), is **DENIED**, that Respondent's Motion for Summary Judgment, (Doc. 8), is **GRANTED**, and that this action is **DISMISSED**. The court further finds there is no substantial showing of the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, therefore a certificate of appealability is not issued.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 16th day of October, 2023.


United States District Judge